

to streets, including the open courts and corridors shall be supervised by such inspection by his own department, the Inspector may accept the report of inspections made by other reliable and properly constituted authorities which in his judgment are competent and satisfactory.

12. The Inspector shall issue and enforce such other regulations regarding the construction, erection, operation or repair of elevators as he may consider necessary to insure safety.

PART XXXI.

Signs and Billboards.

1. Signs, etc., General Provision for Placing. No person, firm, corporation or association shall place or suspend or cause to be placed or suspended from any building, structure, lot or place, any goods, wares or merchandise whatever, or signs of any kind or nature whatever, or any transparencies or fixtures of any other thing so that the same shall project from the wall or front of such building, structure, lot or place into the street or over the sidewalk, except as herein provided. All such cases and causes to be set back at least 3 feet from property line when opening on street.

2. Signs, etc., Not Erected Without Permits. No such fixtures or devices as is hereinabove specifically permitted, whether projecting from the wall or front of such building, structure, lot or place, or being or affixed flat against such wall or building, or otherwise attached thereto or connected therewith, shall be installed, affixed, suspended, changed or moved without a permit from the Building Inspector.

3. Wooden signs or billboards may be permitted as follows:

(a) When not exceeding 10 feet in height above the curb level, with a clear space of not less than 2 feet between the bottom of the sign or billboard and the ground. Such signs or billboards shall be securely attached to posts or other supporting structure and shall be fastened at least 2 feet within the lot lines.

(b) When not exceeding 2 feet in height and fastened flat against the wall of a building, or in front of or on top of the cornice over a first story show window, or on top of a wall of the building.

(c) When exceeding 2 feet in height but not exceeding 40 square feet in area, fastened flat against the wall of a building.

(d) All signs attached to a building shall be fastened directly to the walls by well secured metal anchors. Wooden supports or braces shall not be permitted, nor shall such wooden signs have electric lights or fixtures attached to them in any manner.

(e) When not over 6 inches wide they may hang under awnings but shall not be attached to any other sign.

4. All other signs or billboards within the city limits shall be entirely constructed of incombustible materials, including all supports and braces for same.

5. Electric signs (which for the purpose of this ordinance are declared to be signs which are illuminated by electric light of at least 100 candle power per square foot of lettered surface, which lettered surface shall be contained by the rectangle whose dimensions shall be the height and width of the letters) may be erected and suspended subject to the following regulations and restrictions:

(a) In no case shall any such electric sign be less than eight (8) feet above the sidewalk or the bottom of signs.

(b) Where such sign is or shall be 3 feet or more above the sidewalk it shall not project beyond the outer edge of the sidewalk.

(c) No other sign may be attached to an electric sign.

(d) All signs must be supported from the building to which they are attached.

6. Any letter, word, model, sign, device or representation in the nature of an advertisement, announcement or direction supported or attached wholly or in part over or above any wall, building or structure, shall be deemed to be a sky-sign. Except as herein specified sky-signs shall be constructed entirely of metal, including the supports and braces for same, and no sky-sign shall project beyond the building line.

7. Within the fire limits no sign shall be supported, anchored or braced to the wooden beams or other framework of a building.

8. Sky-signs shall be set back at least 6 feet from the curviness or wall on a street front, shall not project more than 25 feet above the roof of a building, and shall have a space at least 6 feet in height between the bottom of the sign and the roof.

All such signs shall be designed to withstand a wind pressure of at least 20 pounds per square foot of surface.

9. No sign or billboard shall be so constructed as to obstruct any door, window or fire-escape, on any building.

10. Before the erection of any sign or billboard shall have been commenced, a permit for the erection of the same shall be obtained from the Inspector. Each application for the erection of any sign or billboard shall be accompanied by a written consent of the owner or owners, or the lessee or lessees of the property on which it is to be erected.

11. This section shall apply to all signs erected and hereafter erected placed upon new or existing buildings.

PART XXXII.

Prohibited.

1. Wooden Sidewalks: Within the limits of the City of Albuquerque, the construction of wooden sidewalks shall not be permitted.

2. Barbed Wire Fences: The erection or maintenance of any fence composed of barbed wire on, along, or about any lot or parcel of ground fronting upon, or adjoining any street, alley, avenue, common or public thoroughfare in this city, is hereby prohibited. All such fences now existing or that may be hereafter erected are declared to be nuisances and shall be removed. It shall be permitted, however, to place one strand of barbed wire on any wooden, or other type of fence permitted by this ordinance, which may not exceed six feet from the ground.

3. Wooden Fences Over Six Feet High: No wood fence shall be constructed that exceeds six feet in height above sidewalk grade, or above surface of the ground where no grade is established.

4. Spite Fences: No fence shall be allowed to be built when it is of the opinion of the Building Inspector that the fence to be built for spite or grudge.

5. Metal Lath and Plaster: Metal lath and plaster building construction will be allowed only on one story buildings, having incombustible roofs, except that no such construction will be allowed in the inner fire limits.

6. Adobe Walls: No adobe wall shall be over 15 feet high.

7. Wooden Columns: Wooden columns are prohibited in the making up of any store front.

8. Lumber Piles: No person shall hereafter, within the fire limits or within three hundred feet thereof, store or pile any wood, lumber, timber, or other easily combustible material, upon or within any open space, and there keep or hold the same, or any part thereof. This section shall not apply to premises now used for the storage of lumber.

9. Tents: Within the City limits no tent shall be erected, without special permission of the City Commission and then not for more than one week.

PART XXXIII.

Section 131. Removal of Violations.

1. Neither the Building Inspector nor any person appointed, hired or employed by him, when acting in good faith and without malice, shall be liable for damages by reason of anything done under the provisions of this Code.

2. Whenever the Building Inspector has evidence that there exists in any building or structure erected or in course of erection or alteration a violation of any provision of this Code, or of any of the regulations of the Building Department governing the installation or repair of any plumbing, drains or electrical work, he may in his discretion, authorize the City Attorney to institute any appropriate action or proceeding at law or in equity, to restrain, correct or remove such violation; prevent further work upon the building or structure, require its removal; or prevent the occupation or use of the building or structure.

Section 132. Notice of Violation and Service Thesis.

Notices of violation of any provisions of this Code shall be issued by the Building Inspector and shall have his name affixed thereto. A notice of violation shall be served upon the person charged with the violation. Such notice shall contain a brief statement of the nature of the violation charged and the penalty or penalties that may be incurred, a brief description of the building or structure and premises to which the notice refers, including its location and a direction to the owner requiring that the violation be removed forthwith. If the person charged with the violation cannot be found in the city of Albuquerque after diligent search, then service may be made by affixing the same in a conspicuous place on the property to which a violation is alleged to exist, or to which such person may refer, and by depositing in a postoffice in the City of Albuquerque a copy thereof in a securely closed postage wrapper, addressed to him at his last known place of residence or his last known place of business. If his place of residence or business is not known, and the Inspector cannot with reasonable diligence ascertain either, or a place where he would probably receive matter transmitted through the postoffice, he may dispense with the deposit of any papers and upon an affidavit thereof the notice of violation shall be deemed served, and the same action or proceeding may be taken thereupon as if he had been personally served.

Section 133. Punishment for Violation of Provision of Code.

1. Violation a Misdemeanor: A person who shall violate any of the provisions of this code or shall construct, alter, remove or maintain a building or structure in any of its appointments in violation thereof, shall be guilty of a misdemeanor, punishable by a fine of not less than fifty dollars or by imprisonment not exceeding 90 days or by both fine and imprisonment, if such violation shall be removed or in process of removal within 10 days after the service of a notice of violation and shall be seriously removed within a reasonable time, the liability for all or a portion of such penalty may cease, in the discretion of the court. Whenever it shall be necessary in the opinion of the Inspector to carry out or enforce any of the provisions of this Code, he may and shall have authority to call on the Police Department for aid and assistance, and it shall be the duty of the Police Department, when called upon by the Inspector, to co-operate with the said Inspector in order to enforce or put into effect any of the provisions of this Code.

2. Courts Having Jurisdiction for Enforcement of Penalties. For the enforcement or recovery of a penalty, an action may be brought in the name of the city of Albuquerque in any municipal court or court

of record in said city, and no court shall lose jurisdiction of any action by reason of a plea that the title to real estate is involved, provided the object of the action is to recover a penalty for a violation. When any judgment shall be rendered therefor, the same shall be collected and enforced as judgments of the courts in which said action was commenced.

PART XXXIV.

Proceedings in Connection With Collapse of Collapsed Buildings.

Section 134. Collapse Buildings.

1. Notice to Make Safe. When it is reported to the Inspector that any building or structure or part thereof is unsafe or dangerous, he shall immediately cause an examination of the property to be made. If this examination shows the building or structure or any portion thereof to be unsafe or dangerous as to the construction, the occupancy or use, the result thereof shall be entered upon a docket, and the Inspector shall at once serve notice on the person in charge. Such notice shall contain a description of the building or structure, lot or place into which the倒塌, except as herein provided. All such cases and causes to be set back at least 3 feet from property line when opening on street.

2. Signs, etc., Not Erected Without Permits. No such fixtures or devices as is hereinabove specifically permitted, whether projecting from the wall or front of such building, structure, lot or place, or being or affixed flat against such wall or building, or otherwise attached thereto or connected therewith, shall be installed, affixed, suspended, changed or moved without a permit from the Building Inspector.

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(b) When not exceeding 2 feet in height and fastened flat against the wall of a building, or in front of or on top of the cornice over a first story show window, or on top of a wall of the building.

(c) When exceeding 2 feet in height but not exceeding 40 square feet in area, fastened flat against the wall of a building.

(d) All signs attached to a building shall be fastened directly to the walls by well secured metal anchors. Wooden supports or braces shall not be permitted, nor shall such wooden signs have electric lights or fixtures attached to them in any manner.

(e) When not over 6 inches wide they may hang under awnings but shall not be attached to any other sign.

4. All other signs or billboards within the city limits shall be entirely constructed of incombustible materials, including all supports and braces for same.

5. Electric signs (which for the purpose of this ordinance are declared to be signs which are illuminated by electric light of at least 100 candle power per square foot of lettered surface, which lettered surface shall be contained by the rectangle whose dimensions shall be the height and width of the letters) may be erected and suspended subject to the following regulations and restrictions:

(a) In no case shall any such electric sign be less than eight (8) feet above the sidewalk or the bottom of signs.

(b) Where such sign is or shall be 3 feet or more above the sidewalk it shall not project beyond the outer edge of the sidewalk.

(c) No other sign may be attached to an electric sign.

(d) All signs must be supported from the building to which they are attached.

6. Any letter, word, model, sign, device or representation in the nature of an advertisement, announcement or direction supported or attached wholly or in part over or above any wall, building or structure, shall be deemed to be a sky-sign. Except as herein specified sky-signs shall be constructed entirely of metal, including the supports and braces for same, and no sky-sign shall project beyond the building line.

7. Within the fire limits no sign shall be supported, anchored or braced to the wooden beams or other framework of a building.

8. Sky-signs shall be set back at least 6 feet from the curviness or wall on a street front, shall not project more than 25 feet above the roof of a building, and shall have a space at least 6 feet in height between the bottom of the sign and the roof.

All such signs shall be designed to withstand a wind pressure of at least 20 pounds per square foot of surface.

9. No sign or billboard shall be so constructed as to obstruct any door, window or fire-escape, on any building.

10. Before the erection of any sign or billboard shall have been commenced, a permit for the erection of the same shall be obtained from the Inspector. Each application for the erection of any sign or billboard shall be accompanied by a written consent of the owner or owners, or the lessee or lessees of the property on which it is to be erected.

11. This section shall apply to all signs erected and hereafter erected placed upon new or existing buildings.

PART XXXV.

General Provisions.

Section 135. Existing Signs and Limitations.

Nothing in this Code shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired or liability incurred, nor any cause or causes of action accrued or existing under any act or ordinance repeated hereto. Nor shall any right or remedy of any character be lost, impaired or affected by this Code.

Section 136. Invalidity of One Section Not to Invalidate Any Other.

The invalidity of any section or provision of this Code shall not invalidate any other section or provision thereof.

Section 137. Repealing Section.

All former ordinances of the City of Albuquerque affecting or relating to the Construction, Alteration or Removal of Buildings, other structures, and all other or dimensions or parts thereto inconsistent herewith, are hereby repealed.

Section 138. Date When Ordinance Is To Take Effect.

This ordinance is to be known as the Building Code of the City of Albuquerque and shall take effect thirty days after its passage and legal publication.

PART XXXVI.

General Inspection and Regulation of All Electrical Installations and Equipment Within the City of Albuquerque, State of New Mexico.

Section 139.

1. That it is deemed necessary to establish a department of the city government to be known as the Department of Electricity, said department to be in charge of the City Building Inspector. The City Inspector to perform the duties of said office, and to be empowered by ordinances with all the powers delegated to such office.

2. All fees received by the Inspector shall be paid to the City Clerk. Such funds to be turned into the general fund of the city.

Section 140.

1. The Inspector is hereby authorized, empowered and directed to have general supervision over the arranging, supporting and stringing of all electric light, power, signal or other wires, and the locating and general construction of all poles, lines, tubes, and electric apparatus, so as to prevent fire, accident or injury to persons or property.

Further: It shall be the duty of the Inspector to cause all such lines and equipment to be maintained, insulated and guarded as not to endanger life or property, and all such lines and equipment now existing as well as those hereafter constructed or placed shall be subject to such supervision.

Section 141.

1. The Inspector shall make a thorough inspection of the lines of all companies owning wires in the city at least once each year; and where such lines are in dangerous condition, using or operating them to place them in a safe and secure condition forthwith. Any company failing or refusing, within forty-eight hours after notice, to make necessary repairs or changes, and to have said work completed within ten (10) days after the receipt of such notice, shall be subject to a penalty of ten (\$10.00) dollars for each day or fraction of a day that the work is not completed, or payment of the amount of interest at 6 per cent. on the judgment of the amount of the penalty.

2. Emergency Work. If in the opinion of the Inspector there shall be actual and immediate danger of the falling of any building or structure or part thereof so as to endanger life, limb or property, or there shall be any illegal or defective work or work in violation of or not in compliance with any of the provisions or requirements of this Code, he or such person as he may authorize, shall order all further work to be stopped in and about said building or structure, and require all persons to vacate the same.

He shall cause such work to be done as in his judgment may be necessary to remove the danger, and he may, when necessary for the public safety, temporarily close the sidewalks and streets adjacent to such building or structure or part thereof, to vacate the same forthwith, and he may when necessary for the public safety, close the sidewalks and streets adjacent to such building or structure or part thereof, and prohibit the use of the same; and the Police Department shall enforce such orders or requirements.

Section 142.

1. That the Building Inspector shall not be permitted in any way to interfere with the conduct of business of any company or persons engaged in the business of installing electrical wires or apparatus for the transmission of light, heat or power, shall in time of fire or in case of severe storm, wherein lives or property of the citizens of the City may be endangered by the operation of such wires and apparatus, upon the request of the Inspector, the City Manager or the Chief of the Fire Department, disconnect such wires as are designated by said official; such company, firms, corporations, or individuals neglecting to comply with such request shall be fined the sum of not less than fifty (\$50.00) dollars or more than one hundred (\$100.00) dollars for each and every hour said request is not complied with.

Section 143.

1. It shall be the duty of the Inspector to inspect all electrical wiring and apparatus in the City as often as may be deemed necessary in order to ascertain whether such electrical wiring or apparatus is in any respect dangerous to life or property, and if any part of said electrical wiring or apparatus shall be found to be defective or in a dangerous condition, the Inspector shall notify in writing the owner of such electrical wiring or equipment to have the defects corrected within such time as the Inspector may deem necessary. If the owner of said defective wiring or equipment shall refuse or fail to comply with the requirements of the Inspector and correct all defects as directed, within the specified time, it shall be the duty of the Inspector to notify the service company, or firm or individual, furnishing the electric current to such defective wiring or equipment, to cause to supply electric current to same. Upon the receipt of such notice the service company, firm or individual furnishing electric current to such defective wiring or equipment, shall immediately disconnect the service or feed wires as directed by the Inspector and cease to supply current to the defective installation until notified in writing by the Inspector that the defects have been corrected in a satisfactory manner.

Section 144.

1. That all companies, firms, corporations or individuals engaged in the business of installing electrical wires or apparatus inside or on any building or buildings within the corporate limits of the City (except Central stations, power houses, sub-stations or car barns